

THE NORTH KOREA ADVISORY
GROUP**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. GILMAN. Mr. Speaker, in August of this year, Speaker J. DENNIS HASTERT asked me to chair a group of nine members, including Representatives FLOYD SPENCE, PORTER GOSS, CHRIS COX, TILLIE FOWLER, SONNY CALLAHAN, DOUG BEREUTER, CURT WELDON, and JOE KNOLLENBERG to examine the threat that North Korea poses to the United States. We issued our report today. This is the summary of that report:

I. Do the North Korean weapons of mass destruction (WMD) programs pose a greater threat to U.S. security than five years ago?

North Korea's WMD programs pose a major threat to the United States and its allies. This threat has advanced considerably over the past five years, particularly with the enhancement of North Korea's missile capabilities. There is significant evidence that undeclared nuclear weapons development activity continues, including efforts to acquire uranium enrichment technologies and recent nuclear-related high explosive tests. This means that the United States cannot discount the possibility that North Korea could produce additional nuclear weapons outside of the constraints imposed by the 1994 Agreed Framework.

In the last five years, North Korea's missile capabilities have improved dramatically. North Korea has produced, deployed and exported missiles to Iran and Pakistan, launched a three-stage missile (Taepo Dong 1), and continues to develop a larger and more powerful missile (Taepo Dong 2). Unlike five years ago, North Korea can now strike the United States with a missile that could deliver high explosive, chemical, biological, or possibly nuclear weapons. Currently, the United States is unable to defend against this threat.

The progress that North Korea has made over the past five years in improving its missile capabilities, its record as a major proliferator of ballistic missiles and missile technology, combined with its development activities on nuclear, biological and chemical weapons, ranks North Korea with Russia and China as one of the greatest missile proliferation threats in the world.

II. Do North Korean conventional forces pose a greater threat to peace on the Korean peninsula than five years ago?

North Korea is less capable of successfully invading and occupying South Korea today than it was five years ago, due to issues of readiness, sustainability, and modernization. It has, however, built an advantage in long-range artillery, short-range ballistic missiles, and special operations forces. This development, along with its chemical and biological weapons capability and forward-deployed forces, gives North Korea the ability to inflict significant casualties on U.S. and South Korean forces and civilians in the earliest stages of any conflict.

III. Does North Korea pose a greater threat to international stability than five years ago?

The Democratic People's Republic of Korea (DPRK) is a greater threat to international stability primarily in Asia and secondarily in the Middle East. North Korea is arguably the largest proliferator of missiles and ena-

bling technology in the world, with its primary markets being South Asia and the Middle East. Its proliferation activities pose an increasing threat to American and allied interests globally. Pyongyang continues to harbor terrorists, produce and traffic in narcotics, counterfeit U.S. currency, and infiltrate agents into South Korea and Japan.

IV. Does U.S. assistance sustain the North Korean government?

The United States has replaced the Soviet Union as a primary benefactor of North Korea. The United States now feeds more than one-third of all North Koreans, and the U.S.-supported KEDO program supplies almost half of its HFO needs. This aid frees other resources for North Korea to divert to its WMD and conventional military programs.

U.S. aid to North Korea has grown from zero to more than \$270 million annually, totaling \$645 million over the last five years. Based on current trends, that total will likely exceed \$1 billion next year. During that same time, North Korea developed missiles capable of striking the United States and became a major drug trafficking and currency counterfeiting nation.

Despite assurances from the administration, U.S. food and fuel assistance is not adequately monitored. At least \$11 million in HFO assistance has been diverted. In contravention of stated U.S. policy, food has been distributed in places where monitors are denied access. One U.S. aid worker in North Korea recently called the monitoring system a "scam." More than 90% of food aid distribution sites in North Korea have never been visited by a food aid monitor. The North Koreans have never divulged a complete list of where aid is distributed.

North Korea has the longest sustained U.N. food emergency program in history. There are no significant efforts to support or compel agricultural and economic reforms needed for North Korea to feed itself. North Korea will likely continue to refuse to reform, instead relying on brinkmanship to exact further aid from the United States and other members of the international community.

V. Do the policies of the North Korean government undermine the political and/or economic rights of its people more so than five years ago?

The condition of the North Korean people, both physically and politically, is worse than at any time in the history of their government. U.N. nutritional studies and other research have shown that at least one million North Koreans have starved to death since 1994, while many others face starvation. North Korea's medical system has collapsed with its economy, transforming common diseases into death sentences for many. North Korean hospitals largely function as hospices.

North Korea has the worst human rights record of any government in the world. The DPRK formally categorizes its citizens into 51 classes. Seven million citizens, one-third of the population, are regarded as members of the "hostile" class. North Korea has established prisons for hungry children, and is the only place on earth where a hungry child wandering away from home is imprisoned. North Korea is also unique in being the only country that has attempted to withdraw from a key human rights treaty.

The regime of Kim Jong Il depends on maintaining high levels of fear to oppress its people. The perpetual state of crisis that the regime generates with the international

community ensures internal discipline and demands absolute support for the regime. This policy requires the regime to keep the North Korean people isolated and ill-informed on developments in the outside world.

Accordingly, Mr. Speaker, I look forward to working with my colleagues on the International Relations Committee as well as the members of the Intelligence and Armed Services Committees as we take follow-up actions on this important issue.

COUNCIL ON HEMISPHERIC
AFFAIRS**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. TOWNS. Mr. Speaker, I would like to submit for the RECORD the attached articles, "One Commission To Be Proud of" and "The Effect of the U.S. Embargo on Cuban Health Care in Cuba", in the CONGRESSIONAL RECORD.

Mr. Speaker, ever since its creation in the wake of the 1959 Cuban Revolution, the Inter-American System for the Protection of Human Rights has played an extraordinary role in promoting justice on the continent. The Commission and the Court have consistently furthered this country's authentic national interests by helping oppressed populations defend themselves against dictatorships and by working for the establishment of democratic norms.

However, this institution finds itself at a critical juncture and needs political support. Human rights crimes are still being perpetrated throughout the hemisphere, yet the chronic under-funding of these OAS bodies threatens their effectiveness. Furthermore, Peru's recent withdrawal from the jurisdiction of the Court deserves maximum condemnation and should not be allowed to set a precedent for those governments hoping to escape accountability. The United States should lead by example and finally ratify the Inter-American Convention on Human Rights and accept the jurisdiction of the Court.

The following research memorandum was authored by Eric Angles, a Research Fellow with the Washington-based Council on Hemispheric Affairs (COHA). This timely and trenchant article gives credit to the Inter-American System for its accomplishments, and emphasizes how pivotal U.S. backing is to its success.

ONE COMMISSION TO BE PROUD OF

(By Eric Angles, Research Fellow, council on Hemispheric Affairs)

Pinochet and Milosevic indicted for their crimes; a "just war" waged in the Balkans at heavy political, diplomatic and military risk; the human rights debate has clearly shifted gears. Gone is the era when egregious patterns of abuses remained concealed behind sacrosanct national borders, or neatly rhetoricized away by Cold War realpolitik. At last public indignation is being heeded. This is a very positive sign, with much credit being owed to intrepid journalists and relentless human rights promoters, those good men and women in gray.

But plaudits—a great deal of them—must also go to a more discrete actor, the Inter-American Commission on Human Rights. Ironically, since its founding in 1959 by the Organization of American States, some of its backers have belonged among the world's most flagrant offenders; and the Commission has certainly had to struggle for a measure of independence. Early on, periodic in loco visits to human rights Gethsemane and hard-hitting country reports proved effective in at least publicizing the cruelties of barbarous regimes. Scores of lives were doubtlessly saved during the junta years owing to the boldness of these investigative missions. But new and impressive accomplishments in the 1990s have since firmly entrenched the crucial role of the Commission and its judicial arm, the Inter-American Court, in promoting justice throughout the Americas.

Most far-reaching is a mechanism whereby individuals deprived of their rights can lodge a petition. Public hearings are then held and embarrassing rulings often rendered. Over twelve thousand cases have been considered since 1965, primarily involving killings, torture and "disappearances". More complex issues are not increasingly addressed, such as the rights of women and indigenous populations. Not only have wrongs been condemned and at least partly redressed; Commission and Court decisions have set invaluable standards for use by other international human rights bodies under the United Nations, European and African systems.

Just as tellingly perhaps, recalcitrant states now defend themselves with unprecedented ferocity when chastised by a jurisdiction which, after all, they once opted into. In the early years, offenders largely ignored unfavorable findings. By contrast, a fulminating President Fujimori found it necessary to withdraw Peru from the Court's competence rather than face additional rulings against the country's summary military trials—one of whose victims was young U.S. national Lori Berenson, sentenced for life in 1996 without even a shred of due process. Fujimori's outrageous move will only serve to isolate Peru, and to little avail since Commission proceedings cannot be blocked short of renouncing OAS membership. Simply put, avoidance strategies are fast running out for renegade leaders.

The Inter-American system's effectiveness derives at least in part from heightened political support since the end of the Cold War. But if basic principles of justice are being enforced and not merely exalted, above all it is due to the efforts and persistence of the Commission. Ambiguously comprised of legal experts nominated by governments, it could easily have remained the typical OAS cipher. Yet skillful navigation by a deft leadership and expert staff has admirably defied the odds. "Quasi-judicial" prerogatives provide it with a uniquely effective blend of political initiative—most notably the power to throw the spotlight on a selected issue or country—and the authority to set legal precedent. At the same time, the Commission has displayed an even-handedness that has done wonders for its credibility: a case in point was the 1999 report on Columbia detailing wrongdoings both by government and guerrilla forces.

Commission and Court practice also has shown remarkable boldness and creativity. The landmark 1988 Velazquez Rodriguez judgment against Honduras laid out key legal definitions in such a way as to limit procedural escape routes for guilty parties. Other international norms like the humanitarian conventions of Geneva are also commonly invoked when necessary. In no small measure, this is contributing to the slow rise of universal accountability for governments who pull out the nails of their own citizens.

Curiously, these hard-won accomplishments have remained mostly uncelebrated, especially in the U.S., which does not recognize the Court and all but ignores adverse determinations by the Commission. Aren't we too quick to take for granted justice enforced on behalf of our countrymen, such as Matthew Blake, murdered by agents of the Guatemalan state in the early 1980s? There is no question that when provided U.S. backing will be pivotal if full-fledged judicial mechanisms are one day to emerge for the regional and global protection of human rights. Congress' antiquated aversion to international adjudication sits oddly indeed alongside the lofty foreign policy goals articulated by Capitol Hill leaders and Presidents alike.

Success is rarely self-perpetuating. At under three million dollars a year the Commission is absurdly under-funded in the light of its expanding mission. Worse still, a group of disgruntled OAS states very nearly managed to brush back much of its power two years ago, thwarted only by the timely mobilization of concerned private groups. With malefactor states and Fujimori-like leaders waiting to bushwhack it at every corner, public support remains crucial to the furtherance of the Commission's outstanding work into the next century.

Mr. Speaker, legislation such as the 1992 Cuban Democracy Act (CDA) and the 1996 Helms-Burton Act have tightened the U.S. embargo against Cuba to the point that has it negatively effected the health of Cuban civilians and has profoundly damaged the country's revolutionary health care system and medical research institutes. Current U.S. policy towards Cuba severely restricts the export of medicine, the medical supplies and technology to the island by demanding a political test which it is anticipated that Cuban authorities will continue to reject. The Warner-Dodd bill in the Senate and the Freedom to Market Act in the House would reevaluate the embargo and remove restrictions on the sale of grain, medicine and medical supplies to Cuba. These measures were initiated partially in response to numerous studies reporting that the health of Cuban citizens has deteriorated greatly, and hospitals are in dire need of supplies due to the embargo.

The following research memorandum was authorized by David Roberts, a Research Associate with the Washington-based Council on Hemispheric Affairs (COHA). It represents an elaborated version of an article recently published in COHA's biweekly publication, the Washington Report on the Hemisphere. This timely and pertinent article investigates the effect that U.S. policy has had on the Cuban health care system and the well-being of the Cuban populace.

THE EFFECT OF THE U.S. EMBARGO ON CUBAN HEALTH CARE

(By David Roberts, Research Associate,
Council on Hemispheric Affairs)

Senators John Warner (R-VA) and Christopher Dodd (D-CT) have reintroduced a bill designed to remove restrictions on the sale of grain, medicine and medical supplies to Cuba. The U.S. embargo currently prohibits all trade with the island including restrictions on humanitarian aid such as medicine and food. Cuba is now the only nation worldwide denied access to medical supplies as part of a U.S. embargo. The Warner-Dodd bill and its sister measure in the House, the Freedom to Market Act (HR 212), were initiated this year in order to alleviate the suffering caused by the embargo against Cuban civilians that has been in place for nearly 40 years.

Since 1959, the U.S. government has unsuccessfully tried to unseat Castro by any means ranging from economic sanctions to assassination attempts. In recent years, Washington has increased pressure on Castro, enacting legislation such as the 1992 Cuban Democracy Act (CDA) and the 1996 Helms-Burton measure, whose net result has been to impede the exportation of medicines and medical technology to Cuba. These regulations have discouraged the transfer of health care resources through purposely restrictive licensing procedures and denying U.S. visas to, and even suing, executives of foreign companies found to be trading with the island. The collapse of the Soviet Union and the Eastern bloc, Cuba's principal benefactors, exacerbated the damaging effects of U.S. sanctions. As a result, health conditions in Cuba have deteriorated significantly.

Prior to the Warner-Dodd bill, the Dodd-Torres legislation in 1998 was introduced which was aimed at removing the provision of food and medicine from the U.S. sanctions list. The act lost its viability when Senate amendments emasculated the measure, turning the proposed bill into a vehicle for that would make matters worse for Cuba. Hostile riders to the bill permitted sanctions against "terrorist" nations that deny access to food, medicine or medical care as a means of coercion or punishment of a segment of the local populace, effectively invalidating the intentions of the bill's sponsors. Although Cuba has faced international pressure over its flagging human rights record, Havana officials maintain in return that the U.S. embargo has inflicted far more grievous rights violations against Cubans. Critics of the embargo condemn its hypocritical nature because it denies Cuba access to food and medicine as a form of coercion, while the U.S. simultaneously chastises Havana for not providing the population with these essential products. Although the Clinton administration recently ended similar policies against Iran, Libya and Sudan, arguing that "food should not be used as a foreign policy tool," the administration maintains a much more severe embargo including both food and medical supplies against Cuba.

A HISTORY OF GUARANTEED HEALTH CARE

Obsessed with eliminating "human, social and economic underdevelopment," Castro revolutionized the country's medical system in 1959, introducing comprehensive free health care for all Cubans. For several decades this system was considered a model for other Third World nations. The country's constitution guarantees citizens the right to free medical treatment and preventive care. The health delivery system focuses on women's health, providing programs for the early detection of breast and cervical cancer, prenatal care, and free child immunization. Previously, when medicines were available, state pharmacies filled prescriptions for free as well as formulated vaccines which were supplied by the bustling domestic drug manufacturing industry.

Cuba's progressive health care policy propelled the country's successful and internationally acclaimed biotechnology and pharmacology export industries. The island's 11 "world class" research institutions made impressive advances, some of which were greatly respected by the international medical community. These institutes have been credited with developing innovative medical breakthroughs including vaccines for hepatitis-B and meningitis-B. In fact, Cuba is the sole producer of a vaccine for meningitis-B that has been proven to reduce the incidence of the disease by 93%. The institute also developed a surgical cure for retinitis pigmentosa, a genetic disorder that may lead to blindness or tunnel vision.

LONG-TERM EFFECTS ON THE EMBARGO

While Cuban authorities maintain their resolve to provide the populace with greatly needed medical care, highly qualified doctors still face long lines of patients with only antiquated technology to treat them. Even the medicines produced by the pharmacology industry are difficult to obtain because imports of their components have been restricted by the blockade. Despite the previous successes posted by the pharmacology industry, island drug store shelves are now empty. Although recent changes have allowed for some medical sales to Cuba, each transaction must receive prior approval from the U.S. Treasury Department in order to insure that the sale will not benefit the Cuban government and that such supplies will only be handled by independent and non-governmental agencies. Currently, only one U.S. company has sought license to sell medical goods to Cuba. A study by the American Association for World Health found that Cuban hospitals are in dire need of basic medical supplies as a result of U.S. policies. This is partially due to the fact that the government-run health care system serves the impoverished sector of the population, which cannot otherwise purchase medicine, while other hospitals serving wealthier Cubans and foreigners reap the benefits of this minor relaxation of the embargo. The only relief for the average Cuban citizen comes on the daily charter flight from Miami that brings donations from individuals and aid from the few Catholic humanitarian agencies authorized to operate on the island.

The U.S. embargo and the tempo with which it is being administered is indisputably hurting the majority of Cubans. Critics of the status quo maintain that lifting sanctions and following a policy of constructive engagement would be of great benefit to the general population. Several U.S. legislators recently have traveled to Cuba, indicating a need for more non-political relations with the island. "Cuban can benefit from the research of the National Institutes of Health and we can benefit from the research (the Cubans) are doing on meningitis-B," said Sen. Arlene Specter (R-PA) following a recent visit to the island.

Although the Warner-Dodd bill and HR 212 are meant to transcend party lines, it will be difficult to advance such creative thinking in either the House or the Senate due to the opposition of such powerful and unregenerate Cuba-bashers as Senate Foreign Relations Chairman, Jesse Helms (R-N.C.) and Florida's Cuban-American lobby.

IN HONOR OF THE BAYONNE ECONOMIC OPPORTUNITY FOUNDATION ON 34 YEARS OF DEDICATION TO THE CITY OF BAYONNE AND TO THIS YEAR'S HONOREES, MR. AL SAMBADA AND MR. THOMAS CUSEGLIO

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the Bayonne Economic Opportunity Foundation for its continued service to the City of Bayonne, New Jersey, and this year's honorees, Mr. Al Sambade and Mr. Thomas Cuseglio.

The Bayonne Economic Opportunity Foundation, a social service agency in its 34th year, has remained a vibrant and reliable force

in the community. Following the slogan, "People Helping People," the foundation has remained dedicated to serving the people of the community through various outreach programs, including Head Start and Meats on Wheels. And this year's honorees truly embody the goals of this organization.

Serving as Assistant Municipal Engineer from 1981 through 1987, Mr. Sambade has worked diligently for the City of Bayonne throughout his career. From funding procurement to construction supervision of various public buildings, drainage systems, and vital water distribution systems, Mr. Sambade's contributions can be seen throughout the city.

Mr. Sambade, a registered architect, licensed engineer, and professional planner in the State of New Jersey, founded the DAL Design Group in 1987. As the organization's President, he supervised millions of dollars worth of diversified housing and commercial and industrial development projects in the State.

A graduate of the Roberson School in Bayonne, Mr. Sambade is also very active in charitable organizations, such as the Boy Scouts, Windmill Alliance, and the Hudson County ARC.

Mr. Cuseglio has been both an active and visible force in the Bayonne community for more than three decades. From 1979 through 1983, Mr. Cuseglio served as City of Bayonne Building Inspector. By 1983, because of his expertise and unmatched commitment to the City, Mr. Cuseglio was serving as City Construction Official, Building Sub Code Official, Zoning Officer, and Relocation Officer.

After retiring from the City in 1992, Mr. Cuseglio continued his commitment to his life work by accepting a part-time position with the City of Keansburg as a Field Inspector to Code and Specification for its revitalization programs. And just four years later, in 1996 returned to Bayonne as "Clerk of the Works." In this capacity, Mr. Cuseglio was responsible for inspecting all construction sites.

Mr. Cuseglio remains active in community and charitable organizations. Presently, he serves on the Board of Trustees of the Bayonne Economic Opportunity Foundation.

These two men exemplify leadership and dedication to the City of Bayonne and to the Bayonne Economic Opportunity Foundation. For these tremendous contributions to New Jersey and their incredible example as public servants, I am very happy to congratulate Mr. Sambade and Mr. Cuseglio for their achievements. I salute and congratulate both of them on their extraordinary accomplishments.

TRIBUTE TO JOHN MORAMARCO

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. CALVERT. Mr. Speaker, I take the floor today to recognize the outstanding career of John Moramarco, who is retiring as Senior Vice President and General Manager at Callaway Vineyard and Winery in Temecula, California—after 30 years with the winery.

John comes from a long history of vintners. In fact, he started his career at the family's Old Mission Winery in Los Angeles as a young boy, and continued the family tradition as an 11th generation viticulturalist.

Years in the family business allowed John to learn the basics of the business, and the finer points and finesse of making great wine.

It was his love of wine, and know how, that John applied to the Capistrano Winery and Vineyards in Fontana, California, which he and his brother, Mike, established. John became the vineyard's manager from 1945 to 1967, and put into place the lessons learned from his youth—grape growing, wine producing, marketing and sales techniques. He also continued to supervise the family's vines and those of several other wineries.

In 1969, Ely Callaway hired John Moramarco to plant and supervise his new vineyard in the small, rural Riverside County town of Temecula. In this position, John was instrumental in Callaway's vineyard and wine development.

Only recently have I had the privilege of working with John, and observing his talent, first hand. Wineries in Southern California are currently facing an unfortunate situation with a disease that kills grapevines and has no cure. But, John's life-time devotion to the industry has made the California Wine Industry better prepared than they may have been.

John's progressive work with professors from both the Universities of California at Davis and Riverside, gives the wine industry a relationship that they can now draw upon to solve this crisis. The industry is indebted to John's work with the universities and his willingness to devote vineyard blocks to the universities for their experiments. Those experiments have resulted in improved rootstocks, fertilizers, herbicides, mildew resistance, grafting and pruning, techniques now standard practice in California, and will give the industry the greatest chance of surviving their current crisis.

I know that I speak for everyone in the wine industry when I say, "John will be missed."

PERSONAL EXPLANATION

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. MALONEY of Connecticut. Mr. Speaker, I was unavoidably detained during rollcall vote No. 567. Had I been present I would have voted "no" on rollcall No. 567.

ARTICLE EXPOSES HINDU FUNDAMENTALISTS' REPRESSION OF CHRISTIANS; WILL THE POPE BE SAFE IN INDIA?

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 4, 1999

Mr. TOWNS. Mr. Speaker, on October 28, the New York Post ran an excellent article by Rod Dreher exposing the tyranny of what he called "Hindu brownshirts" who run India. He notes that the Pope is heading to India soon and wonders if the Pope and his entourage will be safe in the face of this religious violence.

Dreher wrote that "a small but violent faction of Hindu fundamentalists aligned with the